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EXAMINER	
LEE, JINHEE J	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 12/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/723,037	KLIER, JAN	
	Examiner	Art Unit	
	Jinhee J. Lee	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-20 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 1103.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Abstract has legal phraseology such as “comprises”.

Claim Objections

2. Claims 19 and 20 are objected to because of the following informalities:

Claim 19 line 1, and claim 20 line 1, the phrase “The computer system” has an error. Examiner suggests “The automated storage system” instead to avoid insufficient antecedent rejection and to avoid confusion.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the drive" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 11-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re claims 11-20, claim 11 and claim 18 claims a data structure, however, it appears the limitations of said claim are merely claiming statements defining various items, therefore said limitations do not appear to be defining any functional interrelations which permits the computer program's functionality (or data structure's functionality) to be realized.

In view of the above, claims 11-20 are therefore directed to non-statutory subject matter.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsumoto et al. (20020124124).

Re claim 1, Matsumoto et al. discloses an automated storage system comprising: a data access drive (5000, 6000 for example) operable to read and write computer-readable data on storage media; a drive controller (controller A, controller B for example) provided at the data access drive; computer-readable program code (100-200 for example) provided in computer-readable storage at the data access drive, the computer-readable program code for generating drive information and user interface rendering data (see figure 2 for example); and a user interface module (see claim 27 for example) outputting the drive information via a user interface in accordance with the user interface rendering data (see figure 4 and claim 27 for example).

Re claim 2, Matsumoto et al. discloses a system, wherein the computer-readable program code includes a render engine (disk controller for example) to generate the user interface rendering data.

Re claim 3, Matsumoto et al. discloses a system, wherein the computer-readable program code includes a state machine (RAM 400 for example) to retrieve the drive information.

Re claim 4, Matsumoto et al. discloses a system, wherein the drive controller retrieves updated drive information if a data access drive changes state (indicate a back up task, see claim 27 for example).

Re claim 5, Matsumoto et al. discloses a system, further comprising a communication path (inherent, communication port for example) established between the drive controller and the user interface module, the drive information and the user interface rendering data provided to the user interface module via the communication path (provided with a plurality of ports, see abstract for example).

Re claim 6, Matsumoto et al. discloses a system, wherein the communication path is established separate from a data path with the drive controller(provided with a plurality of ports, see abstract for example).

Re claim 7, Matsumoto et al. discloses a system, further comprising a communication path established between the drive controller and a system controller and between the system controller and the user interface module, the drive information and the user interface rendering data provided to the user interface module via the communication path(provided with a plurality of ports, see abstract for example).

Re claim 8, Matsumoto et al. discloses a system, wherein the drive information and the user interface rendering data is displayed in a graphical user interface (inherent, see claim 27 for example).

Re claim 9, Matsumoto et al. discloses a system, wherein the drive controller retrieves updated drive information based at least in part on input from the user interface module (user...may start backup processing ..., see paragraph 0075 for example).

Re claim 10, Matsumoto et al. discloses a system, wherein the drive controller receives control instructions from the user interface module(user...may start backup processing ..., see paragraph 0075 for example).

Re claim 11, Matsumoto et al. discloses a method comprising: receiving drive information and user interface rendering data from a drive controller at a data access drive (see figure 4 and claim 27 for example); outputting the drive information in a user interface in accordance with the user interface rendering data (see claim 27 and paragraph 0075 for example).

Re claim 12, Matsumoto et al. discloses a method, wherein receiving the drive information and the user interface rendering data is via a system controller (see figure 2 for example).

Re claim 13, Matsumoto et al. discloses a method, wherein receiving drive information and user interface rendering data is via a separate communications path (plurality of ports, see abstract).

Re claim 14, Matsumoto et al. discloses a method, further comprising displaying the drive information in a graphical user interface in accordance with the user interface rendering data (see claim 27 for example).

Re claim 15, Matsumoto et al. discloses a method, further comprising determining a drive state of a data access drive, the drive information including the drive state (see figure 4, claim 27 and paragraph 0075 for example).

Re claim 16, Matsumoto et al. discloses a method, further comprising receiving input at the drive controller from the user interface (see paragraph 0075 for example).

Re claim 17, Matsumoto et al. discloses a method, further comprising outputting updated drive information after receiving input from the user interface (see paragraph 0075 and abstract for example).

Re claim 18, Matsumoto et al. discloses, In an automated storage system having a graphical user interface including a display and a user interface selection device, a method of providing and selecting from the display comprising: receiving drive information and user interface rendering data from a drive controller at a data access drive in the automated storage system (see claim 27 and figure 4 for example); and displaying the drive information in an application window in accordance with the user interface rendering data (see claim 27 for example).

Re claim 19, Matsumoto et al. discloses a method, further comprises receiving user input associated with a selection in the application window (see paragraph 0075 for example).

Re claim 20, Matsumoto et al. discloses a method, further comprises displaying updated drive information in the application window if a drive state changes (see paragraph 0075 and abstract for example).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M- F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-2100 ext. 74. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jinhee J Lee
Primary Examiner
Art Unit 2174

jjl